

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION

MDL No. 2804

THIS DOCUMENT RELATES TO:

Case No. 17-MD-2804

*City of Rochester v. Purdue Pharma, L.P.,
No. 19-op-45853*

Judge Dan Aaron Polster

*County of Webb, Texas v. Purdue
Pharma, L.P., No. 18-op-45175*

*City of Independence, Missouri v.
Williams, No. 19-op-45371*

*Lincoln County v. Richard S. Sackler,
M.D., No. 20-op-45069*

**PBM Plaintiff Bellwethers' Brief Opposing Defendant Optum's
Motion to Exceed Page Limitations**

Despite the Court's suggestion that Defendant Optum think long and hard before filing a motion to disqualify certain members of the Plaintiffs' Executive Committee, defendant Optum informed plaintiffs yesterday that it did intend to file such a motion and requested that plaintiffs agree to an expansion to 25 pages for a combined but single motion filed by said defendant in all four bellwethers. Plaintiffs did not and do not agree to this request but instead ask the court to limit defendant Optum to what the rules allow – 15 pages.

Defendant Optum has given no reason why an additional 5 pages, which it is now requesting, is needed. It does not state that the arguments as to one bellwether case are

different from the other three cases. It does not explain why the 15-page limit does not permit it to fully argue why the motion to disqualify should be granted.

The Court should deny this motion.

December 13, 2023

Respectfully submitted,

s/Jayne Conroy

Jayne Conroy
112 Madison Avenue, 7th Floor
New York, NY 10016
(212) 784-6400
jconroy@simmonsfirm.com

s/Joseph F. Rice

Joseph F. Rice
MOTLEY RICE
28 Bridgeside Blvd.
Mt. Pleasant, SC 29464
(843) 216-9000
(843) 216-9290 (Fax)
jrice@motleyrice.com

s/Paul T. Farrell, Jr.

Paul T. Farrell, Jr.
FARRELL & FULLER
1311 Ponce de Leone Ave.
Suite 202
San Juan, PR 00907
(304) 654-8281
paul@farrellfuller.com
Plaintiffs' Co-Lead Counsel

s/Peter H. Weinberger

Peter H. Weinberger (0022076)
SPANGENBERG SHIBLEY & LIBER
1001 Lakeside Avenue East, Suite 1700
Cleveland, OH 44114
(216) 696-3232
(216) 696-3924 (Fax)
pweinberger@spanglaw.com
MDL Plaintiffs' Liaison Counsel

Certificate of Service

I HEREBY CERTIFY that on this 13th day of December, 2023, I have electronically filed the foregoing with the Clerk of Court using the CM/ECF System. Copies will be served upon counsel of record by, and may be obtained through, the Court CM/ECF system.

s/Peter H. Weinberger

Peter H. Weinberger